

CITY OF MUSKEGON  
PLANNING COMMISSION  
REGULAR MEETING  
MINUTES

**October 13, 2016**

Chairman T. Michalski called the meeting to order at 4:00 p.m. and roll was taken.

MEMBERS PRESENT: T. Michalski, B. Mazade, J. Montgomery-Keast, F. Peterson, S. Gawron, J. Doyle

MEMBERS ABSENT: Excused: B. Smith, B. Larson, E. Hood

STAFF PRESENT: M. Franzak, D. Renkenberger

OTHERS PRESENT: D. Mosher, 2515 Pine Grove; C. Drake, 1309 Randolph

APPROVAL OF MINUTES

A motion that the minutes of the regular meeting of September 15, 2016 be approved was made by J. Montgomery-Keast, supported by F. Peterson and unanimously approved.

NEW BUSINESS

**Hearing, Case 2016-14:** Request for a special land use permit to expand a nonconforming structure not more than 30% at 2515 Pine Grove St. M. Franzak presented the staff report. The property is zoned R-1, Single Family Residential. The lot measures 61' x 98' and is considered a buildable lot. However, the structure is considered non-conforming because it does not meet the 30-foot rear setback requirement. The garage is considered the rear of the building and is set back 6'6" from the property line. Non-conforming structures can be expanded up to 30% with a special land use permit from the Planning Commission. The area that the applicant is requesting to expand is located within the required 30-foot rear setback; therefore, a special use permit is required. The applicant proposes to remove the breezeway and continue the east and west walls of the garage to the south to connect to the house in order to make a two-stall garage. The applicant already started the demolition of the building, which would normally cause issues since approval had not been granted and they had begun to remove the non-conforming part of the structure. However, they do still have the northern wall of the garage standing, so staff feels that they have not removed enough of the structure to cause a problem. The addition totals 98 feet, which is well under 30% of the existing structure. Notice letters were sent to properties within 300 feet of this property. At the time of this writing, staff had received one call from a neighbor who is in favor of the addition.

D. Mosher explained his project and stated that he hadn't been aware that Planning Commission approval was required before he could start. C. Drake was a neighbor and stated that he was in favor of the request.

A motion to close the public hearing was made by J. Montgomery-Keast, supported by F. Peterson and unanimously approved.

A motion that the Special Land Use Permit to expand the non-conforming structure at 2515 Pine Grove St no more than 30% be approved as proposed, was made by J. Montgomery-Keast, supported by S. Gawron and unanimously approved, with T. Michalski, B. Mazade, J. Montgomery-Keast, F. Peterson, S. Gawron, and J. Doyle voting aye.

**Hearing, Case 2016-15:** Staff-initiated request to amend Article XI (B-2, Convenience & Comparison Business District) of the zoning ordinance to change “private clubs, lodge halls, social & similar organizations” from a principal use permitted to a special land use permitted. M. Franzak presented the staff report. A previous case had uncovered a contradiction in the zoning ordinance. Private clubs, lodge halls and similar uses are currently allowed as a use by right in B-2, Convenience & Comparison Business districts. However, they are only allowed under a special use permit in B-4, General Business districts, which usually allows for more intense uses than B-2 districts. Also, the ordinance states that all principal uses permitted in B-2 districts are allowed as a use by right in B-4 districts. This is contradictory since you must get a special use permit to operate a private club/lodge hall in B-4 districts. Staff is proposing to amend the ordinance to allow private clubs/lodge halls as a special use permitted in B-2 districts rather than a use by right. These types of uses can sometimes cause problems with parking, noise and civil disturbances, so it would be in the City’s best interest to allow them as a special land use. This would allow the Planning Commission to either set limitations on the use or revoke the permit in the event of recurring problems at the location.

A motion to close the public hearing was made by S. Gawron, supported by J. Doyle and unanimously approved.

A motion that the proposed amendment to Section 1100 of the City of Muskegon Zoning Ordinance to allow private clubs, lodge halls & similar uses as a special use permitted and not a principal use permitted in a B-2 district, be recommended to the City Commission for approval was made by J. Doyle, supported by S. Gawron and unanimously approved, with T. Michalski, B. Mazade, J. Montgomery-Keast, F. Peterson, S. Gawron, and J. Doyle voting aye

#### **OLD BUSINESS**

None

#### **OTHER**

The Mayor thanked M. Franzak and Planning Department intern J. Pesch for their work on a top-rated presentation on Form Based Code zoning and parking given by the Mayor at a conference in California.

Revisions to lot size requirements – M. Franzak distributed a map showing undersized residential lots in the downtown area. He explained some of the issues with the non-conforming lots and stated that he was working on revisions to the zoning ordinance to reduce the lot size required for buildable lots. This would also require revisions to minimum building sizes, setbacks and lot coverage. Proposed changes will be brought before the Planning Commission once they are finalized.

There being no further business, the meeting was adjourned at 4:29 p.m.